

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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FREDRICK J. HARRINGTON JR.,

Plaintiff,

-against-

ORDER

06-CV-2900 (NG) (VVP)

**ATLANTIC SOUNDING CO., INC.,
WEEKS MARINE, INC., and THE MV
CANDACE, her engines, equipment, and
tackle, *in rem*,**

Defendants

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GERSHON, United States District Judge:

In accordance with counsels' letters dated January 8, 2007 and January 10, 2007, agreeing that the validity of the arbitration agreement is to be determined the court, and not a jury, counsel are hereby directed to complete the limited discovery discussed at oral argument on January 3, 2007 within 30 days. Plaintiff's counsel shall notify the court and opposing counsel of the dates that his client will be available for an evidentiary hearing.

SO ORDERED.

/s/ Nina Gershon
NINA GERSHON
United States District Judge

Dated: January 12, 2007
Brooklyn, New York